

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

THOMAS K. TURNER

v.

MR. JESSE KIRSCH, et al

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CIVIL ACTION

No. 08-2005

ORDER

AND NOW, this 12th day of April, 2011, upon consideration of the Motions for Summary Judgment of Defendants Paula Dillman-McGowan, Joetta Kline, Cynthia Sheldon, Drue Wagner, Jesse Kirsch and Erik Von Kiel, (Doc. Nos. 74-75, 77), and Plaintiff's responses thereto, it is hereby **ORDERED** that:

1. Defendant "Paula Dillman-McGowan's Motion for Summary Judgment" (Doc. No. 74) is **DENIED**, such that Plaintiff may proceed on his 28 U.S.C. § 1983 claim against Paula Dillman-McGowan, consistent with the Court's Memorandum Opinion;
2. "Defendants Joetta Kline, Cynthia Sheldon, and Drue Wagner's Motion for Summary Judgment" (Doc. No. 75) is **GRANTED in part** and **DENIED in part**, such that Plaintiff may proceed on his 28 U.S.C. § 1983 claim against Cynthia Sheldon, consistent with the Court's Memorandum Opinion;
3. The "Motion for Summary Judgment of Defendant Jesse Kirsch" (Doc. No. 77) is **GRANTED**;

4. “Defendant Dr. Erik Von Kiel’s Motion for Summary Judgment” (Doc. No. 86) is **DENIED**, such that Plaintiff may proceed to trial on his 28 U.S.C. § 1983 claim against Paula Dillman-McGowan, consistent with the Court’s Memorandum Opinion.

BY THE COURT:

/s/ Mitchell S. Goldberg

Mitchell S. Goldberg, J.